
TESTIMONY

Testimony To: House Committee on Education

Respectfully Submitted by: Heather Bouchey, Deputy Secretary

Subject: **H.208 An Act Relating to Childcare and Early Childhood Education**

Date: April 6, 2023

I'd like to start by thanking the committee for your attention to the critical issue of early childhood education. We all know how important it is to offer a variety of stimulating, engaging, and flexible opportunities for our youngest Vermonters so they come to school well-nurtured and ready to further learn. Today, I'll share the administration's thoughts on H.208 as well as ask some clarifying questions to better understand specific sections of the bill.

Let's start with the positive – we love the idea of expanding PreK entitlement hours and would be open to exploring that further with you. However, as we heard from many witnesses in Senate Human Services regarding S.56, stakeholders have concerns about the impact of moving away from a mixed delivery system for PreK to do so. It is important to highlight that last year when the federal Build Back Better Act was being discussed the focus was on states moving to a full mixed delivery system to receive this funding (if they did not already have this model). In late December, Vermont was again successful in receiving the federal Preschool Development Grant for our state plan; this proposed plan was built upon a robust mix of public and private programs serving 3-5-year-old children. A central aspect of this work involves more fully establishing and expanding early MTSS systems that support children in both private and public PreK contexts. It is unclear to us at this time how, if Vermont were to move away from a mixed delivery model, in effect shunting the majority of four-year-olds to solely school-based PreK programs, this would impact the work – and ability to receive the corresponding funds – of this grant.

With respect to the specific plan to mandate universal public PreK for four-year-olds for all SUs/SDs that operate schools, several questions arise:

1. If we are framing this change around what is best for children, has the committee considered the developmental impact of “removing” three-year-olds from the PreK space? Research documents that three-year-olds benefit from interacting with their near-age peers, stretching “up” in terms of their outcomes, whereas four-year-olds can benefit from being in the older peer, “stretching down” role. Interacting and engaging with younger peers can help four-year-olds solidify and crystallize core aspects of cognitive, emotional, and social development.



2. In addition, we are concerned about the impact of this model on three-year-olds who qualify for special education services (EEE). The model as written removes a regular education environment or least restrictive environment for three-year-olds, where a child on an IEP is entitled to receive their special education and related services. As written, this could lead LEAs to adopt a clinical model where three-year-olds receive services one on one with their special educator or related service provider either in the home or at the school, not in an inclusive setting as dictated by federal regulation and best practice. As a state, we are obligated to measure the percentage of 3, 4, and 5-year-olds receiving services within a regular education setting with their same aged, non-disabled peers to meet IDEA regulations. The result of this change as proposed in H.208 would impact meeting our 6a target on yearly special education performance measures. In addition, Indicator 7, Early Child Outcomes, provides a framework for describing and consistently measuring children's functional skills and behaviors across all settings and situations. Excluding three-year-olds from public PreK will also affect their progress in these required child outcomes (social emotional skills, acquisition and use of knowledge and skills, and use of appropriate behaviors to meet needs) as they will be less likely to participate in an inclusive environment with their same age peers (i.e., given the opportunity to learn these critical skills). If three-year-olds with IEPs are unable to attend a school-based UPK program, they would not be in an educational environment with same age peers; therefore, there would be a huge gap in access to peer models displaying age-appropriate skills.
3. How does universal PreK for four-year-olds address critical shortages in infancy and toddler care? From our perspective, this is currently the most pressing challenge in early childhood facing Vermont. It requires more resources to provide quality infant and toddler care than does quality PreK instruction, and many educators are drawn to working with either younger or older (not both) children in the early childhood arena. Has the committee thought about these aspects of the proposed universal system? Are there further concepts we could explore to achieve universal PreK, such as increasing the weekly hours paid from 10 to a more full-time model?
4. Several interdependencies regarding PreK and the regular school system can benefit from further consideration. What will be the programmatic and fiscal impact of additional bussing, school breakfast and lunch, and expanded after school/summer programming required to serve four-year-olds beyond the school day? What would these services look like for four-year-olds?
5. What about current public PreK programs that serve 3-and-4-year-olds (e.g., Barre, North Country)? Would this new legislation require them to stop serving three-year-olds, who have historically benefited from these programs in their region? We hope not but wanted to alert the committee about the existence of already existing strong programs. In effect, there is nothing statutorily precluding LEAs from offering public PreK in their schools currently.
6. The Administration does not support the prescribed Deputy Secretary position in Section 2. Although we understand the intent, this is not the solution we would

recommend. The current language would: (a) effectively create substantial inequities across Deputy Secretary positions, with the new position responsible for solely public PreK and special education/MTSS and the existing Deputy position responsible for everything else (in effect, everything to do with grades K-12); (b) likely involve the state employee union and bargaining contract in that a current classified position would be converted to an exempt position, potentially causing a RIF; and, (c) lock in the executive branch in a way that seems counterintuitive to the operational flexibility we need given frequent shifts in education policy, practice, and emphases at both the state and federal level. We would also be curious to know if any other Deputy Secretary positions across state government are statutorily prescribed at this level of detail.

7. Finally, it appears that several issues remain unknown regarding the physical capacity of SUs/SDs to meet this mandate, the impact of such a significant change on the broader early childhood context in Vermont, and the local ability to recruit enough teachers to fill this mandate given the crushing workforce shortage in many areas of our state. We recommend investigating these critical issues before moving forward. Implementation may be much more difficult than currently anticipated.